

Date: 08/08/2020  
Time: 09:26:23 AM

Location: PHL

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF PRISONS

Request for Withdrawal of Inmate's Personal Funds

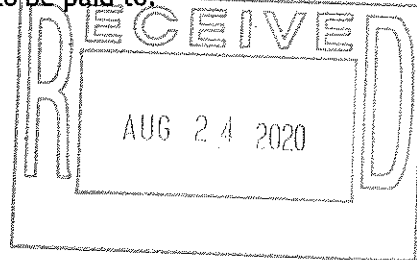
PHL-D-S, 76873067 - DOUGHERTY, KEITH

Encumbrance No.: 1483

Please charge to my account the sum of **\$5.00** and authorize the same to be paid to:


Contact/FMIS Certification Address

Clerk, Court  
601 MARKET ST  
PHILA  
PA 19106  
United States



Purpose: Court Fees

Check Memo: HABEAS ~~27-1234~~

  
\_\_\_\_\_  
(Signature of Inmate)

76873067 - DOUGHERTY, KEITH

\_\_\_\_\_  
(Inmate Register No./Name)

\_\_\_\_\_  
(Signature of Approving Official)

\_\_\_\_\_  
(Signature of Deposit Fund Tech)

\_\_\_\_\_  
(Payment #)

The inmate's personal account has been charged in the amount indicated above.

In The District Court For  
The Eastern District of Pennsylvania

Ex Parte : Keith Dougherty :  
:   
Petitioner : } No:  
: } Related Cases;  
: 19-CR-140 (MD PA)  
: 17-CV-1541 (MD PA) and its related

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Petition for HABEAS Corpus In Pari Materia 28 USC § 1652  
Supplement as per 28 USC § 2243

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And Now comes Keith Dougherty [filing this supplemented cover] for HABEAS "Filed as of 5/5/2020" in compliance with "unlawful oral order" of Judge Connelly "9/12/2019" indicating Keith Dougherty has been attainted in violation of Article I Section 9 "and is prohibited" from filing by his PACER account "and has" no "equal protection in this Lozman v. Riveria Beach sham prosecution" where "all parties" except Keith Dougherty are "authorized by PDF Email", and if Keith Dougherty seeks to file "anything" he must only do it by "hard copy and through Judge Connelly's staff [or risk being indicted for yet another sham threat under 875(c)] or 876(c)";

Pretrial HABEAS

See In Re: Dorsainvil 119 F.3d 245 (3rd Cir 1997);

.... Thus Section 2241 is the only statute that confers habeas jurisdiction to hear the petition of a federal prisoner who is challenging not the validity ... [of a sentence that will never happen]... but the execution of ... [his criminal prosecution] as a RICO conspiracy involving [Political Appointees William Power and David Freed] who abused the Grand Jury Process "obtaining indictments" on the incompetent "analysis of the 3rd Cir "pre-Elonis"" playing the Dauphin County Voters for Fools"... see U.S. Addonizio 442 U.S. 178, 185-188, 60 L. Ed. 2d 805, 99 S. Ct. 2235 (1979) (holding that section 2255 authorizes challenges to the lawfulness of a federal sentence not the lawfulness of the performance of judgment and sentence) Bennett v. Soto 850 F.2d 161, 162-163 (3rd Cir 1988), (holding that section 2255 does not encompass the power to entertain prisoner's claim of wrongful revocation of parole);

### Assigned Judge

28 USC § 1652 "eliminates any discretion" by a Federal Judge in Any "Civil Pleading"; where "The Pennsylvania Declaration of Rights" and its "incorporation" of English Common Law and Pennsylvania provincial Law existing as of 5/14/1776 into the Pennsylvania Constitution of 1777 through Section 1503 provides Article VI of the Pennsylvania Frame of Government invalidates all local rules of the Eastern District of PA, as applied to "any pro se representation"; Including "corporations" .

As made clear in Keith Dougherty's Status Conference Memoranda for the Sham Hearing scheduled and cancelled for 7/15/2020; the Government under the Wilson v. Sellers Precedent faces a rebuttable presumption, "that every action in all cases after Keith Dougherty's successful motion "to destroy Simbrow v. US and its unlawful expansion by Rowland v. Men's Colony Dicta", is "the reason for this sham prosecution"; See ECF 57 p. 18, US00001480

### Clear Statement

Each time a clerk, magistrate or Judge, indicates a "party" must "pay a 3rd party bribe to any ABA member" or as in an IFP Criminal Prosecution "must accept appointed counsel representation" it is a "crime of extortion by unlawful official acts" under the Ocasio Analysis of (2016) where Salinas "makes each employee of the District Court involved a co-conspirator" (even its unwitting staff); This analysis includes "civil, criminal and or appellate"; see United States v. Sinengeng-Smith 590 U. S. \_\_\_\_ (5/7/2022) a court is a "passive exertion of Government";

See EXHIBIT B attached; Judge Connelly is in "continual violation" of the Speedy Trial Act "where his mission" is to do whatever is required to make Keith Dopugherty accept "representation"

In the Matter of Keith Dougherty v. Pennsylvania and the United States "courts" of the Middle District of PA and 3rd and 4th Cir's Judge Conner, "as chief" is "not a party" and his "unlawful use of 28 USC § 292 to save the Government from default" is a crime under 18 USC § 2076/18 USC § 371/ 18 USC § 1951, which then triggers Pa. C.S.A. § 505 "protections"; Translated for "the Idiot Squad", as of 7/12/2019 "in the city of Philadelphia" there was a car-jacking where a mob "beat the carjacker to death" and no charges could be brought due to 18 Ps. C.S.A. § 506 (discretionary deadly force) [defense of a 3rd Party (occupied vehicle)]; see EXHIBIT A Count III (although "not constructively transmitted", "not a true threat", and in violation of the Elonis "subjective intent analysis" (where the prosecution withheld the "ECF Doc 57 (context)" as an abuse of the grand jury)), Keith Dougherty is "protected to the same degree as the FBI "sniper at Ruby Ridge" (Rule 12.3 "objection of Government" Waived see Hamer Footnote 1) "personally Keith Dougherty could have convinced the Philly Mob" to drag Chief Conner out of his Harrisburg office and have him beat to death in the same way;

Pennsylvania provides "discretionary deadly force use" if a [party] is engaged in a "constitutionally protected activity" see 17-CV-1541 (MD PA) [commerce] as a Enrolled Agent for the IRS representing my own LLC's and "client LLC's" in declaratory Judgment 28 USC § 2201; and Mary DiAndrea, Peter Welsh et al "engage in Federal Crimes" 18 USC § 2076/ 18 USC § 371/ 18 USC § 1951, Discretionary Deadly force is "authorized" 18 Ps. C.S.A. §§ 505/507; (2.3)... (i);

#### Supreme Court Precedent

[Elonis v. US].... In that case the Court stated that a Supreme Court decision interpreting a criminal statute [here 875(c)].. that resulted in the ...[improper indictment].. of one whose conduct was not prohibited by law "presents exceptional circumstances where the need for remedy afforded by

the writ of habeas corpus is apparent." ...[especially when as here the Connelly Court refuses to provide any Rule 12(c) or Rule 12(d) [hearings] "denying all due process of law" (1st violation 9/29/2019 no response yet)] Id. at 346. (internal citations omitted). The Court held that "if [petitioner's] contention is well, taken then [his]...detention (as to Counts III and IV) and punishment for "A Civic Duty Letter to Justice Alito mailed 11/15/2019" ECF 57-2; 19-CR-140 (MD PA)... are for an act that the law does not make criminal...[119 F.3d 250];

28 USC § 1657

Requires the assigned court to take immediate action;

Either "issue the writ" or issue "show cause to"

Jeffrey A Finucane  
United States Attorney's Office  
217 West King Street, Ste. 400  
Martinsburg, WV 25401  
304-262-0590  
Email: jeffrey.finucane@usdoj.gov

Return due in 3 days.

For Clarification Notice was provided by ECF 19-CR-140 (MD PA)  
5/5/2020 "with no reply";

Previous "pre-trial motion to dismiss filed 9/26/2019"  
Government's response filed 10/18/2019 "was limited to requesting  
a hearing" [which was never provided];

As of 9/15/2019 "Rule 12.3 Notice was provided by email" see  
Rule 6 [amended 12/1/2016] not response "ever provided";

Motion to dismiss counts III and IV "filed 3/23/2020" no  
Government Response Provided;

After hearing by video "Judge Connelly now orders response" to  
A "NON-Party" in violation of United States v. Sinengeng Smith  
again.

The effort is to "extort Keith Dougherty into accepting  
representation of Thomas Young Fired For Cause 6/21/2019";


At hearing dated 9/12/2019 Jeffrey Finucane asks Judge Connelly  
"what do I do" [when being advised Keith Dougherty would proceed]  
pro se [with Thomas Young as "stand by"]; Judge Connelly said,  
"wait until he sends you [a communication] then say "it does  
not contain anything that is legally decipherable and as such  
the government "will not respond".... and the court will do the  
same"...

Judge Connelly "in his two most recent responses indicates"  
he was "unable to decipher the HABEAS" [as requiring action  
outlined in

28 USC § 2243 "for release from unconstitutional detention";  
nor could he decipher Keith Dougherty's demand for an "expedited"  
motion's hearing by "video", docketed by the court 5/18/2020;

Where after return or "default" there must be a scheduled  
hearing "even if by video" within 5 days "unless good cause is  
shown" as indicated in Lujan v. Defenders (1990) footnote 5.

Respectfully Submitted,

 8/20/2020

Keith Dougherty (76873-067)  
FDC  
PO Box 562  
Philadelphia, PA 19105

## **§ 1652. State laws as rules of decision**

The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.

### **HISTORY:**

Act June 25, 1948, ch 646, 62 Stat. 944.

18 Pa. C.S.A. §§§ 505, 506, 507

Discretionary Deadly Force

Take Note to Government's Exhibit EXE US00001445;

Where "the former fucking idiot Chief Clerk" determined  
"Sua Sponte" Congress "was wrong when they issued this"  
Federal Statute;

Just like the Eastern District Clerk in 15-CV-5516(ED PA);

18 USC § 2076 and 18 USC § 1951 "are not binding" in the  
3rd Cir [see] 11-2631;

(4) Motion filed by Appellant Keith Dougherty to Attach Opinion of 1546 CD 2011 Exhibit A constituting new law (with the political cover of being issued in an unreported opinion) to the Petition for En Banc and Panel Rehearing

### ORDER

At the direction of the Court, the corrected petition for rehearing shall be filed and submitted to the Court. As a corrected petition has been filed no action will be taken on the original non-complying petition. The supplemental motion for rehearing based on jurisdictional violations and motion to attach the opinion of the Commonwealth Court of Pennsylvania in Baker v. Reese, et al., No. 1546 CD 2011 are denied as state court decisions are not binding in a federal court.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Date: March 7, 2014  
MB/cc: Keith T. Dougherty  
Christopher S. Underhill, Esq.  
Thomas X. McAndrew, Jr., Esq.  
Michael T. Taylor, Esq.  
Michael Daley, Esq.  
Michael W. Flannelly, Esq.  
Darrell N. VanOrmer, Jr., Esq.  
J. Bart DeLone, Esq.

Pursuant to Knick v. Township of Scott 139 S. Ct. 2162; 204 L. Ed. 2d 558 (2019) 11-2631/11-3598 "are ressurected";

Due to the PCCA Errors and Omissions "required insurance and Pa. 8371 "Bad Faith"; CNA Insurance "must pay all inverse condemnation damages" accumulated see First English P. 321;

Even "when" Former Chief McKee, Former Chief Scirica, current Chief Smith and Future Chief Chagares "are indicted under 18 USC § 2076" and 18 USC § 1951 "extortion to pay a 3rd party bribe";[to any ABA Memjber];



## § 1657. Priority of civil actions

(a) Notwithstanding any other provision of law, each court of the United States shall determine the order in which civil actions are heard and determined, except that the court shall expedite the consideration of any action brought under chapter 153 [28 USCS §§ 2241 et seq.] or section 1826 of this title [28 USCS § 1826], any action for temporary or preliminary injunctive relief, or any other action if good cause therefor is shown. For purposes of this subsection, "good cause" is shown if a right under the Constitution of the United States or a Federal Statute (including rights under section 552 of title 5) would be maintained in a factual context that indicates that a request for expedited consideration has merit.

(b) The Judicial Conference of the United States may modify the rules adopted by the courts to determine the order in which civil actions are heard and determined, in order to establish consistency among the judicial circuits.

### HISTORY:

Added Nov. 8, 1984, P. L. 98-620, Title IV, Subtitle A, § 401(a), 98 Stat. 3356.

### Stipulated Facts

1. In the Matter of Keith Dougherty v. US "the United States is a party, Keith Dougherty, is a party, Thomas Young "is not a party";
2. Judge Connelly "indicates he cannot decipher- that § 2242 requires the clerk to "enter HABEAS" in the civil docket, and "the assigned judge" to "immediately issue the writ" or issue "show cause" whose return is due in three days (3); unless "good cause is shown"; where any extension of time cannot "exceed 20 days";
3. As of 7/12/2019 "in the City of Philadelphia" a car-jacker was beaten to death by a mob "and no charges can be brought" under Pa. C.S.A. § 506; (discretionary deadly force) [defense of a 3rd person (occupied vehicle)];
4. As of 1992 "the FBI stationed a sniper outside the Weaver Cabin [at Ruby Ridge] ; the sniper "put a bullet in the head of Vickie Weaver through the cabin window "while she was holding her infant child", initially he was charged with "manslaughter" however "all charges were dropped due to Rule 12.3" (Official authority);
5. Keith Dougherty as CEO "of Docson's Militia at all relevant times has official authority "immunity" as "defined in DC v. Heller p. 24; the Militia is the last defense of a "Free Society";

USCS

COUNT THREE

(Interstate Communication with Threat to Injure)

On or about the 19th day of November, 2019, in the Middle District of Pennsylvania, the defendant, **KEITH THOMAS DOUGHERTY**, knowingly and willfully did transmit in interstate and foreign commerce via electronic mail, an electronic mail communication to Federal Bureau of Investigations Special Agent Christopher Cruz, and the communication contained a threat to injure Chief Judge Christopher Conner, Chief United States District Judge for the Middle District of Pennsylvania, specifically "If you say 'Keith Dougherty must first hunt down Chief Conner as the 'visiting Judge in DE' ... beat him to death 'with bare hands' ... and then be found not guilty by a 6th Amendment Jury' ... before any action is 'taken in the Wilson v. Sellers Sense' ... [just] write it down," all in violation of Section 875(c) of Title 18 of the United States Code.

"...we rely on parties to frame the issues for decision and assign to the courts the role of neutral arbiter... Id. at 244 ... "[C]ourts are essentially "corrupt" passive [as in "passive aggressive"] instruments of government"... even if "they cannot decipher, HABEAS" [is to "be released from unlawful detention"];

See Petition for Andrew Berkowitz.. page 11; stating "... (that counsel was deficient for failing to raise a defense not previously considered... when reasonable investigation would have revealed authority that made the defense plausible..p. 4) United States v. Phea 953 F.3d 838 (5th Cir 3/31/2020);

Section 875(c), as noted requires proof that a communication was transmitted... scienter required... The Parties agree that a defendant under 875(c) must know that he is transmitting a communication....Under these principles, "what Elonis [and now Dougherty] thinks" does matter, App. 286 [11] C, Elonis v. US Even if "it interferes with Judge Connelly Statement of Purpose" "as a passive aggressive" saying "I can't decipher what you are seeking, "in violation of 18 USC § 2076; 18 USC § 371& 18 USC § 1951 as a criminal defendant [with] DACA "protection";

United States v. Sinengeng-Smith 590 U. S. \_\_\_\_ (2020); New Orleans & N.E.R. Co. v. Jopes, 142 U. S. 24, 12 S. Ct. 109, 35 L. Ed. 919 (1891) ("if the injury was done by the defendant in justifiable self-defense, he can not be punished criminally... Because the act was lawful, he is wholly relieved from responsibility for its consequences.");

**the second, the third, or so on. [554  
U.S. 302];**

**“intrinsic fraud exception”... Black’s  
Law 7<sup>th</sup> p. 671-672?**

**As Sprint’s “actual Precedent”(2008);  
whether 5-4 or 9-0;**

**Whatever comes next “you cannot say”...  
you did not know!**

Do not let the Criminal Scott Harris “throw this in the trash”...as did the DC Clerk “in 15-CV-582 (D DC)” Hartman v. Moore???; [as a tactic]; you need to “do something to prevent the Yellow Vest Riots”... coming to “the [ABA] Church of Philadelphia”... Revelation 3:7-13 New International Version (NIV) 7 “To the angel of the church in Philadelphia write:...

In “your executive oversight function”... of the RICO [Hobbs Act]  
“enterprise”... Known as the 3<sup>rd</sup> Cir;

If you say “Keith Dougherty must first hunt down Chief Conner as the “visiting Judge in DE”... beat him to death “with bare hands”... and then be “found not guilty by a 6<sup>th</sup> Amendment Jury”... before any action is “taken in the Wilson v. Sellers Sense”... [just] write it down. We must have “strict rules and precedents”... [Federalist 78] not “implied circuit precedent”... 11-2631/11-3598! “without any appeal as a matter of right” Fed.RAP Rule 3 [ignored] Hall v. Hall??? No passage of time “can make those cases valid” Lucia v. SEC/Lorenzo v. SEC!

See 17-CV-1541 (MD PA) ECF Doc 201 5/4/2019;

EXHIBIT  
"A"

Justice Alito;

**Civic Duty Letter “to the Justice Assigned to the [ABA] Church of Philadelphia (AKA 3<sup>rd</sup> Cir).<sup>13</sup> Whoever has ears, let them hear what the Spirit says to the churches.**

**This should have been resolved in SC 16-9425 Keith Dougherty v. Chief McKee (Cert Denied); see Also 14-5837 CERT Denied RJ Holdings Opinion of Smith in light of Knick v. Scott Twp 6/21/2019 “everything in the 3<sup>rd</sup> Cir Takes 20+ Years”... because of [PA] De Facto Taking “case law”;**

**The Garza v. Idaho [public Defender [assigned] from NJ Actually said at the 6/21/2019 Initial Meeting ((while Knick v. Scott Twp was being announced) he was [only] conspiring with the WV Prosecutor) due to “concern that Keith Dougherty would “misquote”... Precedent””...when the 3<sup>rd</sup> Cir “has been reversed at least 22 times in a row...**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Crim. No. 19-140-CFC
	)	
KEITH THOMAS DOUGHERTY,	)	
	)	
Defendant.	)	

**ORDER**

Whereas, during the videoconference held on July 30, 2020, standby counsel for Defendant made an application to change Defendant's pretrial status to allow for in-home incarceration pending trial; and

Whereas, Pretrial Services has advised the Court that it does not believe in-home confinement is appropriate and does not believe that the Defendant's circumstances have changed such that in-home incarceration pending trial is warranted;

NOW THEREFORE, this Fourth day of August in 2020, IT IS HEREBY ORDERED THAT:

Defendant and the government shall each have until August 21, 2020 to file a memorandum that addresses standby counsel's application to revise the terms of Defendant's pretrial status to allow for in-home incarceration pending trial.

  
United States District Judge

EXHIBIT  
"B"

**“when asked to consider individual rights”... as opposed to “government power”:**

**Chief Judge Conner “granted *pro hac vice*”... of attorneys from California and Illinois and they “mistakenly calculated they had 35 days “under [2071] local Rules (in violation of Nutraceutical & without any “open comment period” as required under 2071(b) [see (now) Sisters of the Poor 7/12/2019???)”... to file a Rule 12 Response [and then Conner] “handed the cases (over); 14-CV-922 & 13-CV-857” [along with 14-CV-480 & 13-CV-1868] Unlawfully to Frederick Motz in “abuse of 294(d)”;**

**You are prohibited from saying Our Burwell v. Hobby Lobby Precedent [person] “does not control Rowland v. Men’s Colony “dicta abuse””... as in Simbraw v. US and its Progeny Walacavage v. Excell 2000 “and MD**

[exception to hearsay] aka [the] “invalidation of the confrontation clause”... Just like Europe... because the Judges “will be embarrassed”... and “there is no speedy trial act either”... ??? Dennis v. Sparks “only applies to state Judges”???


**Just Keep Keith Dougherty “on bail forever”... 19-CR-140; to “preserve professionalism in the ABA Market Place (Horne (2015) “without just compensation” Knick V. Scott Twp.)”! because Kevin Caplin “is scared”!**

2071 (b) Any rule prescribed by a court, other than the Supreme Court, under subsection **(a) shall be prescribed only after giving appropriate public notice and an opportunity for comment.** ([your] Local Rules [55(a) & 55(b)] “will be “forever void” [as applied]”) **[as a Rotkiske “default judgment” (intrinsic fraud process)]** Idiot Robreno 15-CV-5516 (ED PA);

Just as Knick v. Scott Twp “was an ordinance that created a governmental easement”... And PA & NJ v. Sisters of the Poor “is resolved by the definition of “person” 1 USC 1” (IRS 501(c)(3) [or] (4) “person” [Docson’s Militia] “without Lois Lerner approval”); Rotkiske v. Klemm, 890 F.3d 422 (3rd Cir. 2018) “should be resolved under “intrinsic fraud” [Black’s Law 7<sup>th</sup>]”... However, it proves Jordon’s Hypocrisy... by way of Hall v. Hall p. 12;

We granted certiorari, 582 U. S. \_\_\_\_ (2017), and now reverse. (the 3<sup>rd</sup> Cir [reversed] “again”...& again... and again...) p. 4;





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Keith Dougherty

Overnight Mail "Signature Required" Justice Alito;

Copy to Judge Connelly "priority mail delivery confirmation"... email  
"to all other who have ears"... and "who may or may not be  
interested"... relating to 331 & 332 "Judicial Committee Corruption"  
(in the 3<sup>rd</sup> Cir);

WILSON v. SELLERS 584 U. S. \_\_\_\_ (2018) says “it may not create circuit precedent by “implied silence””...

...we would risk judges and lawyers reading those decisions as creating, through silence, a precedent that could be read as binding throughout the circuit—just what a silent decision may be thought not to do. Slip Op. p. 10; [Just writ something... and we will “summarily affirm IOP 10.6/LOAR 27.4]

Jordon “says District Court Clerks”... cannot be “enjoined”... and [now] Municipal Clerks cannot “be challenged” [under Intrinsic Fraud] as/or 18 USC 2076 “is surplusage”???

No matter “what you think 2011-CV-4711 (DC CP) & 14-CV-529 (CC CP); “is a judicial inverse condemnation”...(of “debt collection contracts”) [a [Soldal] seizure] subject to SEC 8 “PA Declaration of Rights”; in violation of the PA Constitution and “the full faith and credit clause”; while “a Hobbs Act and UTPCPL “violation(s) as well” [with DACA Discretion] as “the only defense”:

The First Amendment would, however, be a hollow promise if it left government free to destroy or erode its guarantees [of 4<sup>th</sup> Amendment Property] by indirect restraints so long as no law is passed that prohibits free speech, press, petition, or assembly as such. We have therefore repeatedly held that laws which actually affect the exercise of these vital rights cannot be sustained merely because they were enacted for the purpose of dealing with some evil within the State's legislative competence, or even because the laws do, in fact, provide a helpful means of dealing with such an evil. *Schneider v. State*, 308 U. S. 147 (1939); *Cantwell v. Connecticut*, 310 U. S. 296 (1940). *Id.* p. 222; *Mine Workers v. Illinois Bar Assn.*, 389 U.S. 217 (1967);

Find Attached “email”... threatening the “execution of all judges and clerks”... by a “Prefatory Clause Militia”... if “the court “denies all due process”... along with “copy of the 2010 MD PA Clerk’s Manual” (event

designation .dflt. & .dfltjgm. (there is “no [ECF] event” for “it was going to rain”); [further demand for 3<sup>rd</sup> Cir IOP Version 2010];

Keith Dougherty is “entitled to whistle blower like protections”... from “The Roberts Court” [under the “Intelligence Committee” [as an oxymoron] (“definitions”); Hartman v. Moore (2006) “no retaliatory criminal prosecutions”.

Hartman v. Moore, 547 US 250, 252 (2006) (“The First Amendment prohibits government officials from subjecting an individual to retaliatory actions, including criminal prosecutions, for speaking out.” [“prefatory clause protections”]); Crawford-El v. Britton, 523 US 574, 592 (1998) (“[T]he First Amendment ...

The Difference in [the only (Compound)] “Constitutional Republics” (order of operations of Law); 6/7/2017 “even to a NJ Government Attorney”... no “indictment possible”!

Mr. Dougherty:

Thank you for your email correspondence. However, I am unable to provide any assistance, as I am no longer the attorney assigned to handle this matter. To ensure that your concerns are properly addressed, please forward all future correspondences to DAG Zieman’s attention.

Thank you.

Regards,

Okeano

After *Elonis v. US* (3<sup>rd</sup> Cir) Reversed,... “as usual”:

*Ipso Facto* “sole proprietors” and “all sole practitioners” [are protected constitutionally] not just by [the] Federal Statute 28 USC 1654;

**United States v. Reynolds, 345 U.S. 1  
(1953) “the Chief Justice Must Claim**

## **Rule 12.1 Pretrial Motion Practice**

Motions required under Fed.R.Crim.P. 12 to be raised prior to trial shall be filed within fourteen (14) days after arraignment, unless otherwise provided by the Court. All motions shall be filed with the Clerk of Court, copies being sent to the Deputy Clerk of the Judge, and shall be accompanied by a brief or memorandum of law containing a concise statement of the legal contentions and authorities relied upon in support of said motion. A copy of each such motion and memorandum or brief shall be filed of record and served upon the opposing party. Within seven (7) days after the receipt of such motion, any party desiring to oppose such motion shall file and serve on the opposing party in the aforementioned manner an answer and a legal memorandum in opposition thereto. If the Court determines that oral argument is necessary, it shall advise counsel of the date and time that such argument is to be provided.

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

2020 MAY -5 PM 1:36

The District Court For  
Middle District of Pennsylvania

United States :  
: V. : 19 CR 140  
: Keith Dougherty :  
:

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HABEAS under 28 USC § 2241 in Pari Materia  
28 USC § 1652 and subsequently HABEAS Copora  
Joratorium under 28 USC § 1651

---

And now comes Keith Dougherty pro se and files  
this Petition for identification purposes using  
the criminal caption while directing the Court  
Clerk to FedRcivp. 21 "to change the caption at  
any time with or without motion"; See 13-CV-857/13-1904

Optional Supplemental Information

ECF 110 & 114 "violate the statute of frauds" where all  
Constitutions and Plea Deals are "contracts" see Garza v.  
Idaho. Keith Dougherty has not yet received a copy of the  
Government's Response "extended to 4/10/2020";

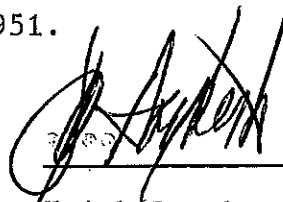
Congress "enacted" 28 USC § 1652 "to protect" the 9th &  
10th Amendments "from District and Circuit Court Manipulation";  
28 USC § 1654 "from ABA Faction Manipulation"; and Smith was  
the reason Congress Enacted the Religious Freedom Restoration  
Act. Where the City of Boerne Decision [relying on Marbury v.  
Madison (mere tradition)] said "Congress" went too far "using"  
the 14th Amendment, prompting Congress to "enact" The Religious  
Land Use and Institutional Person's Act "to gag the court";

Relevant here

Relevant here "is" the worst decision in the Modern Era,

NFIB v. Sebelius [where correctly] the Supreme Court certified even Congress could not "force a citizen" [or any individual] to Purchase "health insurance" by "protecting the interstate commerce clause restrictions", where here "the idiot squad" since 1966 has indicated "they could force any for profit entity" to "purchase the services of a ABA Faction Member" even though the Ocasio "analysis" has now made it a crime punishable by up to 20 years per count.

To "save the Religious Doctrine" of the Sanhendrine of the Church of Philadelphia the Political Appointees of William Powell and David Freed have "violated their constitutional oaths" and had FBI Agent Cruze "join the Hobbs Act Conspiracy" by "providing DACA Discretion" to 18 USC 2076 [under the General Federal Conspiracy Statute] in Pari Materia 18 USC § 1951.



Keith Dougherty (76873-067)

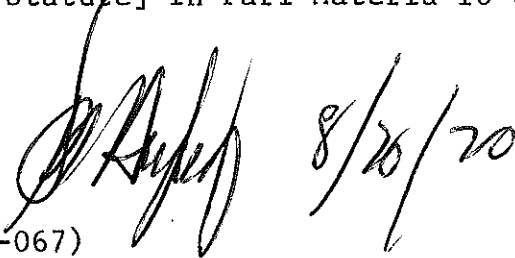
FDC

PO BOX 562

Philadelphia, PA 19105

2

[1] RFRA, and Article I § 3; PA Declaration of Rights 1874 P. L. 3; Saducees "do not believe in the resurrection" however by Unanimous opinion Sebelius v. Auburn Regional says "any order issued without tribunal jurisdiction" is forever void Under Rule 60(b)(4) [rules of civil procedure] Manrique, Hammer, Nutracutical



The District Court For  
The Middle District of Pennsylvania

Ex Parte: Keith Thomas Dougherty :  
:  
:

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Petition for HABEAS Corpus under 28 USC § 2241  
in pari materia 28 USC § 1652 and subsequent order  
under HABEAS Copora Joratorium 28 USC § 1651

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And now comes Keith Dougherty propose and files  
a petition under HABEAS for pre trial release as the  
prosecution has been undertaken in violation of due process  
and specifically designed to deny a "fair trial"; Under 28  
USC § 1652 "requiring" the use of Pennsylvania "statutes" and  
the Pennsylvania Constitution; to be used as "rules of decision"  
by Congressional Authority under the Necessary and Proper  
Clause; specifically Article I Section 10 of the Declaration  
of Rights (Nov. 6, 1973 P.L. 452 J.R. 27);

4. When a petitioner Claims the Constitution and  
a Treaty of the United States [here Article VI Cl 2;  
in pari Materia Article I Sec 8/28 USC§ 1652 (to impose  
PA's Declaration of Rights)] gives him a right to his  
liberty, not withstanding the charge that has been made  
against him, and he has obtained judicial process to  
enforce that right, the proceeding on his part is a  
civil proceeding, not withstanding his object is, by  
means of it, to get released from custody under a criminal  
prosecution. Ex Parte Tom Tong Petitioner 27 LED 526  
108 US 556 (1883);

### Standard of Review

Under 28 USC § 2241 habeas relief may be extended to a prisoner only when he is in custody in violation of the constitution or laws or treaties of the United States." 28 USC §(c)(3).

A federal court has jurisdiction over such a petition if the petitioner is "in custody" and the custody is allegedly in violation of the constitution or laws [under 12(B)(v)] or treaties [including HAGUE] of the United States 28 USC § 2241(c)(3); *Maleng v. Cook*, 490 U.S. 488, 490, 109 S. Ct. 1923, 104 L. Ed. 2d, 540 (1989). As petitioner is currently detained within the court's jurisdiction, by a custodian within the court's jurisdiction and asserts that his continued detention violated due process this court has jurisdiction over his claims. (2018 U.S. Dist. Lexis 3) *Spencer v. Kemma*, 523 U.S. 1, 7, 118 S. Ct. 978, 140 L. Ed. 2d 43 (1998). *Brader v. 30th Judicial Circuit Court*, 410 U.S. 484, 494-495, 500 93 S. Ct. 1123 35 L. Ed. 443 (1973) see also *Zadvydas v. Davis* 533 U. S. 678, 699, 121 S. Ct. 2491, 150 L. Ed. 2d 653 (2001);

Pursuant to 28 USC § 1652 the District and Circuits "shall" use the State "statutes" [not Court Decisions] as "Federal Rules of Decision";

Article I Section 10 (Nov. 6, P.L. 452, J. R. 2); In *Commonwealth v. Simmons*, 514 Pa. 10, 522 A. 2d 537 (1987) the Pennsylvania Supreme Court expressly acknowledged its ability to "establish greater protections for our state citizens than provided by the United States Supreme Court." 522 A.2d at 540. In *Commonwealth v. Smith*, 532 Pa. 177, 615 A.2d 321 (1992) the Pennsylvania Supreme Court expanded the Double Jeopardy protections afforded under the Pennsylvania [2019 U. S. Dist LEXIS 33] Constitution as follows:

We now hold that the double jeopardy clause of the Pennsylvania Constitution prohibits retrial of a defendant not only when prosecutorial misconduct is intended to provoke the defendant into moving for a mistrial, but also when the conduct of the prosecutor is intentionally undertaken to prejudice the defendant to the point of denial of a fair trial, 615 A.2d at 325.

See Licensed to Lie detailing the Andrew Weissmann "creation of political crimes" Sidney Pollack.

By Rule:

Test to determine whether federal courts should apply state rule when enforcing rights created by state law are: (1) if state provision is substantive right or obligation being asserted, federal court must apply it; (2) is state provision is procedural rule which is intimately bound up with substantive right or obligation



being asserted, federal court must apply it; (3) if state provision is procedural rule which is not intimately bound up with substantive right or obligation being asserted, but its application might substantially change outcome of litigation, federal court should determine whether state interests in favor of applying state rule outweigh countervailing federal considerations against application of rule, and if state interests predominate, state rule should be adopted. *Miller v. Davis* 507 F.2d 308, 88 L.R.R.M. (BNA) 2451 (6th Cir 1974);

Furthermore, we find no language in *Smith* to indicate that concealment of evidence is the only type of prosecutorial misconduct that may be intentionally undertaken to prejudice the defendant to the point of the denial of a fair trial. To the contrary, the holding in *Smith* appears to be deliberately nonspecific, allowing for any number of scenarios in which prosecutorial overreaching [as in Counts III & IV] is designed to harass the defendant through successive prosecutions or otherwise deprive him of his constitutional rights [including speedy trial, *Gerstein v. Pugh* and "all self executing constitutional rights" under the 6th and 8th Amendments]; *Commonwealth v. Anderson* No. 495 WDA 2009 (PaSuper 2011) (En Banc);

#### Article I Sectional 8 Law analysis

1. If Congress were to attempt to pass a law that indicates a "Chief Judge of any District or Circuit Court can "suspend the speedy trial clause of the 6th Amendment by "asserting it is in the interest of justice", the law would be struck down as "unconstitutional".
2. If Congress would attempt to pass a law "that says" [F]or profit "corporations" surrender their 6th Amendment Rights by "announcing they are for profit" it would be struck down as an improper interpretation of the Dictionary Act and a violation of "the equal protection clause" as determined in *Burwell v. Hobby Lobby*;
3. If Congress would attempt to pass a law that "Catholic non-profit associations" must pay for contraceptives for all employees "it would violate" *RFRA*

the Article I Section 3 protections of the Pennsylvania Constitution, As well as RFRA.

4. In *Lozman v. Riveria Beach* Justice Kennedy provided when as here *Simbrow v. US* (as a Hobbs Act Violation under the *Ocasio* analysis (2016)) becomes "official government policy" as *Walacavage v. Excell* 2000(PaSuper 1984) there must be "a protected redress process" to defeat the "Political corruption" of the Trump administration appointees William Powell and David Freed "joining the Hobbs Act Conspiracy" by implementing DACA Discretion "for a Legal Faction" as if a Noble Class;

5. The Speedy trial act "can only protect the speedy trial clause" [not] as applied in ECF Doc 114 "using double quotation marks" serve as a "method" of "Amending the Constitution" in what can best be described as a "Drake v. Filko" fashion in a Judicial Monarchy [within the borders of] the 3rd, 4th and DC Circuits.

6. 15-CV-582 (DDC) sought to refer Chief McKee and his RICO mob "to a DC Jury" for "impeachment referral" and "preliminary injunction as to IOP 10.6 and LAR 27.4" not as a "threat" rather a "redress remedy" where no Yellow Vest Riots need be had.

7. Pending in the Supreme Court is an effort to "invalidate DA CA "discretion" where Amicas as Citizens United filed this exact argument."

8. The only way to avoid violence is to "enforce the petition clause" equally;

#### Questions Presented

1. When the prosecutor (seeking a way to deny his need to respond to any Rule 12.3 witnesses) manufactured Counts III and IV (as Deficient under 875(c) Elonis/Watts analysis) intentionally to "incarcerate" the defendant and deny proper "trial preparation" did his actions rise to the level of double jeopardy under Article I Section 10 of the Pennsylvania Constitution as "identified in Anderson Citing Smith"?

Suggested Answer: Yes.

2. Does ECF 114 page 2 "misstate" the "lawful Authority" of "all inferior tribunals" when in conflict with "the 6th" Amendment?

Suggested Answer: Yes.

#### Summary of Argument

Counts III and IV were created to interfere with proper trial preparation and when properly dismissed the entire Super "indictment" must be dismissed where PA's Double Jeopardy Bar attaches.

Dr. Berger should be consulted as to "Chief Judge Conner's use of "double quotation marks" as a "method of amending the constitutions of Pennsylvania and the United States."

#### Brief Relevant Procedure

1. As of 1/28/2020 "Keith Dougherty was arrested "pre-dawn" for effect.
2. Keith Dougherty's first appearance was 2/20/2020 before a "tribunal" who could not grant all of the relief, Keith Dougherty was "entitled to";

3. As this HABEAS seeks relief that no magistrate can grant, administrative action "would be futile" as an exception to "exhaustion";

Argument

Only PA "as a example" of 28 USC § 1652 has identified intentional efforts to "interfere with a fair trial" as a Double Jeopardy "violation"; Outlined on 2/20/20;

The 3rd Cir Peppers analysis "seals the square head sheep loving prosecutor's fate"; At a post hearing meeting, the Government's attorney asked to meet with Keith Dougherty. He properly warned "anything said at the meeting could be used at trial", Keith Dougherty agreed and stand by counsel was in attendance. The Prosecutor indicated "at all relevant times" FBI agent Gruze was a "willing co-conspirator" in the Hobbs Act "conspiracy" seeking to "extort 3rd party bribes" for ABA Members in the 3rd and 4th Circuits before any progress could be made in any of Keith Dougherty's "contracts";

Further he assured Keith Dougherty "Judge Connelly would not allow "any witnesses favorable to Keith Dougherty's self-defense of all "rights, privledges and immunties" under PA's Discretionary deadly force doctrine"";

He further stated "the only defense Keith Dougherty would be permitted would be "If Keith Dougherty took the stand"";

Keith Dougherty attempted to "explain to stand by counsel" at the initial meeting 6/21/2019 "no 3rd Cir Judge" could serve as a "valid tribunal" on any "adjudicative issues" involving the United States v. Keith Dougherty "due to the defense of

Official Authority "qualified immunity" as well as "castle doctrine immunity" under the PA Constitution";

Counsel "was completely unfamiliar with "Tribunal Jurisdiction" as defined in Manrique, Hammer and Nutracutical," impliedly referring to Sebelius v. Auburn Regional Slip Op. p. 6 indicating "tribunal jurisdiction can be attacked at any time even by a litigant who had conceded subject matter jurisdiction";

The reason Counts III and IV were "manufactured" in violation of Rule 12(B)(v) was to "put Keith Dougherty in prison" falsely and make a "fair trial impossible";

[2002 U.S. App. LEXIS 32] ...you also have a lot of witnesses that the government needs to obtain on your behalf. He [assigned counsel] is out there able to do that. You are confined. You will have every opportunity to convey your wishes to Mr. Welch... [which will be ignored];

"denial of right to proceed pro se reversed";

As the Supreme Court explained in the seminal case in this area, Faretta v. California 422, U.S. 806, 820 45 L Ed 2d 562, 95 S. Ct. 2525 (1975), the Sixth Amendment speaks of the 'assistance of counsel' and an assistant however expert, is still an assistant....

See Footnotes 37-39 "referencing the PA Frame of Government (1682)" incorporated into the PA Constitution as Section 1503 "all English Common Law and Pennsylvania Provincial Law in existence as of 5/14/1776 "is still valid" to this very day "including the right to serve as one's own Prosecutor" stating in pertinent part;

"persons of all persuasions including for profit licensed professionals as owners... can appear in all courts personally and in their own manner [including religious references] and if unable by a "friend"..."

The Constant theme even in this "criminal case" is to force Keith Dougherty to use "a star chamber trained attorney" who would never "aggressively question criminal clerks, magistrates, and especially judges";

Counts III and IV are not just defective as to Rule 12(B) (v) they are part of a Lozman v. Riveria "tactic" to protect and "cover up" the Hobbs Act Violations undertaken to preserve what can only be defined as "religious doctrine" in the form of Simbrow v. US and its progeny Walacavage v. Excell 2000 "by invalidating the speedy trial clause of the sixth Amendment" and putting Keith Dougherty in prison to invalidate his ability to "subpoena witnesses" favorable to his defense and "prepare for their direct examination".

In Commonwealth v. Simons, 514 Pa. 10, 522 A.2d 537 (1987), the Pennsylvania Supreme Court expressly acknowledged its ability to "establish greater protections for our state citizens than provided by the United States Supreme Court." 522 A.2d at 540. In Commonwealth v. Smith, 532 Pa. 177, 615 A.2d 321 (1992) the Pennsylvania Supreme Court expanded the Double Jeopardy protections afforded under the Pennsylvania Constitution as follows:

We now hold that the double jeopardy clause of the Pennsylvania Constitution prohibits retrial of a defendant not only when prosecutorial misconduct is intended to provoke the defendant into moving for a mistrial, but also when the conduct of the prosecutor is intentionally undertaken to prejudice the defendant to the point of denial of a fair trial. 615 A.2d at 325.

Id. p. 13; Commonwealth v. Anderson No. 495 WDA 2009 (PaSuper 2011) (En Banc).

#### Conclusion

When Article III and IV are "properly dismissed" the entire Indictment must be dismissed and "Article I Section 10 of the Pennsylvania Constitution Prohibits seeking to re-file the indictment. As "fully defined in Anderson "En Banc"".

Abraham Lincoln "Lawfully suspended HABEAS Corpus" in accord "with his executive powers".

Heller is "the Bible" on how to "read and interpret any "Right of the People" see the 2008 opinion Pages 3-5"; "The Constitution" is Written According to Marbury v. Madison to make "Simbrow v. US/Burwell/NJ & PA v. Sisters of the Poor Legally "impossible";

Put in "layman's terms" the Constitution was written to be understood "by the "voters" that make up the 6th and 7th Amendment Juries. William Penn "as the American Profit" defined in the Documentary History of "The Bill of Rights" explains how the 1787 "Constitution could not get ratified" until Jefferson and Adams "from France and England respectively" advised to ratify "the consitution" only with the "condition subsequent" that a "Declaration of Rights" [see "not yet a Bill of Rights"] would immediately be "enacted";

For the "learning disabled" Clerks, Magistrates, and Judges of the 3rd, 4th and DC "Circuits" that means "The Constitution" has always been a "contract of adhesion" that must be read "against the government"... it was a "take it or leave it Contract" that is not susceptible to "amendment by Judicial Committee";

So when you read "The Speedy Trial Act" [enacted by Congress] to "protect the 70 day timeline"; In the Latin... Ipso facto when encountering the phrase "in the interst of Justice" it must be read, "if the Government cannot meet the 70 day requirement the Indictment must be dismissed "in the interest of Justice"; Judge Connelly and Chief Judge Conner have "no enumerated power

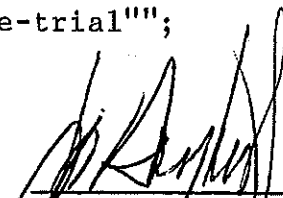
to "to Amend the 6th Amendment"" by Andrew Weissmann creative reading "tactics".


This HABEAS "must be transferred to a 10th Cir Judge" because Judge Connelly as did Former Chief Judge Conti "refuse Federal Jurisdiction" (as a "Act of Constitutional Treason" Ex Parte Young p. 143 (1908)) to provide Nielson v. Preap "declaratory judgment" and then preliminary injunction as to the 332(d)(4) Panel "as to the 1988 Access to Justice Act";

IOP 10.6 and LAR 27.4 "have always been without statutory or Constitutional Authority" under 28 USC § 2071;

Simbrow v. US "has always been void in PA. Under the PA Constitution "see the 9/12/2019 Faretta Hearing" triggering a 2nd Addington v. Texas Violation; to "cover-up" the Speedy Clause violation by "a terminated Stand By Attorney" as a Statute of Frauds Violation".

The Constitution "and all of its amendments" is a "contract of Adhesion" and Judge Connelly was "correct" when he read into the record "28 USC § 1652" applies to "the "Civil pleadings" however "completely mis-informed" that HABEAS "could not be used Pre-trial";

  
Keith Dougherty

4/30/2020 8/10/20  




Supplemental Petition

Keith Dougherty moves for a Writ of Habeas Copora Juratorum under PA's Colonial Law "protections to act as one's own prosecutor when alleging "High Political Crimes" in violation of the Pennsylvania and United States Constitution by way of 28 USC § 1651";

Article I Section 25

To Guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.

Explained for "the idiot squad" there is no way to say "it was going to rain anyway" or "you lack standing" under PA's Declaratory Judgment Act 7540 "all parties claiming an interest must be made a party"!

Heller Confirms Militias as "the final defense"

b. "Security of a Free State" The phrase "security of a free State" meant "security of a free polity," not security of each of the several States... There are many reasons why the militia was thought to be necessary... Third, when the able-bodied men of a nation are trained in arms [including the use of "petition for redress" (self-represented, self-defense)] they are better able to resist tyranny. 554 U.S. 597-598;

Even when the Tyranny is said to be "in the interest of justice";

Article I Section 26

Neither the Commonwealth nor any political subdivision thereof shall deny to any person [including LLC's] the enjoyment of any civil right [including "self-defense" by "self-representation" under the 6th Amendment], nor discriminate against any person (including "The Sisters of the Poor"/Connestoga Woods "for profit closely held Corporations" in the use of RFRA) in the exercise of any "including" [Article I Sec(s) 3 & 4] civil right.

All one need do "is see the Sisters of the Poor decision" affirming an Obama Judge 7/12/2019 "after being reversed by the Supreme Court 6/30/2014 "to realize the 3rd Cir relies on the court's being too busy"" to enforce "the Access to Justice Act" and or "any of its precedents".

Since Magna Carta 1215 "the common law" has always been interwoven with the Judea-Christian Faith "see the Papal Bull 1215" declaring Magna Carta 1215 "in violation of God's Law" aka "the Divine Right of Kings";

The Pennsylvania Constitution adopted all of the English Common Law in existence as of 5/14/1776 "pre-dating the 1787 Constitution" as well as "All PA Provincial Law" as of 5/14/1776 including Article VI of the Frame of Government see Faretta v. California Footnotes 37-39; as such there is HABEAS Copora Juratorum where the Court Orders the Sheriff to empanel a "grand jury" for the "private criminal process" when as here The Federal Government "refuses" to enforce due process of law";

At the time of our founding "as in Knick v. Scott Twp" Oral Argument Justice Gorsuch "inverse condemnation is a governmental trespass" and when the Government denies "ANY and "all forums" it becomes a "criminal tresspass" thaT CANNOT BE LEFT TO "an elected County Prosecutor" due to "politics" and "We the People" under Heller "can act as a Militia" using 28 USC § 1652" And Article I Section 25 "to Indict Powell and Freed" under the Hobbs Act.

#### Crimes Alleged

Article I Section 1 of the Pennsylvania Constitution states in pertinent part ..., Possessing and protecting Property and Reputation,...

As part of the Simbrow v. US "religious doctrine" the 3rd Cir "has criminalized "speech" that seeks "redress" of "bastardization" of the Dictionary "acts" [designed] for "strict scrutinty";

At the time of the nation's founding "this tactic was called Factionism and predicted the downfall of the Republic". *Faretta v. California* and *United Mine Workers v. Illinois State Bar Association* (1967) p. 222 explain "freedom of association" protects "the choice of Counsel" where the Pennsylvania "105 years" before "the 1787 Consitution" was written by a Quäker Preach "because the attorneys of 1670 would not defend he "free speech" for fear of "losing their livleyhood";

Each Time "any judge" informs a Business Owner "or any licensed professional "engaged in commerce" that their case or controversey will not proceed unless a "licensed attorney" enters appearance "they have committed a Hobbs Act Crime" of "seeking to extort a 3rd party bribe" even if the 3rd Cir "does not agree with the Ocasio Precedent". Just as this incompetent Circuit "adopted *Drake v. Filko*" [rejecting self-representation] it continues to say "owners have no self-representation rights as a "disfavored class" just like *Conestoga Woods* saying "for profit [Close] Corporations give up their Religious Rights" protected by RFRA, only to now hold as of 7/12/2019 "non-profit associations" such as "The Sisters Also have no RFRA protections" because the Trump Administration did not provide an open comment period "for its Office of Legal Counsel" guidance on "all contraceptives" [not in the Abortification Class] this "tactic" is called "Napoleonic Law" and is "Actus Reus" in an effort to "establish a "judicial monarchy" where ABA Members Are part of a "Legal Nobility".

To understand "the religious doctrine" being imposed by Fiat, known as *Simbraw v. US*, you must only review a handful of cases;

You "must start with Pennsylvania" precisely because the PA Constitution restricts "the power of all courts" to "expressing what the Pennsylvania Genmeral Assembly Intended to do "Rendering *NFIB v. Sebelious* type of"

opinions "legally impossible"; then "you must review the Pennsylvania "political gerrymandering case" where in violation of Section 1921 of the Statutory Construction Code Act "the current Pennsylvania Supreme Court "at the behest of Former President Obama & Eric Holder took up the issue "based on a religious belief" that the Supreme Court of the United States "would rule Political Gerrymandering is unconstitutional" they were wrong "as usual"... so when the "idiot squad" of Jordon, Chief Conner and Chief Simandle "rubberstamped" their "decision" based on the Pennsylvania Senate Members "lacked standing" it was "identical to the Knick v. Scott Twp, 3rd Cir Precedent" [based on home owners lacking standing] which is an "essential element" [under Article I Section 1] as an inalienable right "protected by the General Assembly's very specific Declaratory Judgement Act Section 7540 saying "all parties claiming an interest "must be made a party" and that is "forced upon the shit hole" known as the 3rd Cir by 28 USC § 1652, just like 28 USC § 1654 that is ignored in "all of Keith Dougherty's Cases";

Walacavage v. Excell 2000 Had a Common Pleas Court Judge "threaten the owner of Excell "if he vigorously defended his company" he [could] be charged with "the unauthorized practice of law"; affirmed as a "default" by the Superior Court relying on Simbrow v. US (1984);

Then Look to Rhino v. Berg Manufacturing (2007) where then Judge Conner "intimidated" the owner of a "close corporation" into "default" in a Patent Infringement Case "only to enter default judgment in the amount of \$1.7 + Million; his fatal mistake was to "write in the opinion 55(a) was "required by law"" even when a District Court Judge "enters default judgment" using 55(b); Ipso Facto "each time" Mary DiAndrea and or Peter Welsh "neglected to enter default" when properly invoked it was a Federal Crime under 18 USC § 2076;

Leading thento 15-1123 as related to 13-CV-857 (MD PA);

In Keith Dougherty v. Carlisle Tire and Wheel "as a chose in action" Carlisle through its "incompetent counsel defaulted" and as its first response "failed to file 55(c)" making "default judgment" "by the clerk" mandatory; "instead then Chief Kane tried to assign the case to Judge Caldwell [he refused], and "did assign it to Judge Conner"; he "had" Magistrate Blewitt "without tribunal jurisdiction" Cite Rhino v. Berg Manufacturing "implying default and default judgment were the Playgrounds of District Court Judges"... a Hobbs Act Crime;

The case "then by unlawful intervention by then Chief McKee was transferred to Judge Slomsky [ED PA] who took no action, only to then transfer to "Senior Judge Motz from Baltimore" as a Marshal v. Jerrico "violation" 3rd Case "assigned" invalidating "all tribunal jurisdiction";

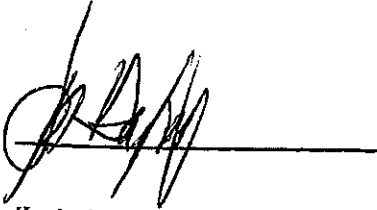
In Keeping with the "criminal conspiracy" 18 USC § 1951 Judge Rendell was "unlawfully assigned to 3 of Keith Dougherty's Cases" blocked all briefing "guaranteed by Order issued by Barry and Fisher 8/5/2011 11-2631 [law of the case]... and "rubber-stamped Motz and his ludicrous theory on Champerty "which had been rejected under Blackstone's Commentaries II of 1766 "where the PA Constitution incorporated the English Common Law as of 5/14/1776; as Such "Rendell and Motz are Hobbs Act criminals" or Saducees "who do not believe in the resurrection" of 11-2631/11-3598 as well as 13-CV-857 (MD PA)\* ;

#### Religious Reference

Keith Dougherty "models" the Overcomer from the Mideavil Church as referenced in the 4th Letter of Christ to the Churches. Rev 2 26-28 (KJV) He will be given power to rule over the nations. Metaphorically here, the Nations are Pennsylvania, New Jersey, Delaware, the Virgin Islands,

Maryland, the District of Columbia, and West [by God] Virginia;

He will rule them with the Iron Rod of William Penn's Frame of Government  
(1682), He will dash them to pieces "with a typewriter" from FDC  
Philadelphia using the "petition of right" 1640/"petition for redress."



Keith Dougherty

we need a "Federal Grand Jury"!



Certification of Service

Pursuant to Connelly's Order Keith Dougherty does hereby certify a copy of the foregoing has been mailed through the Prison Mail Box system with "The Government's Copy" being provided by ECF;

Keith Dougherty avers "having been declared IFP as of 5/6/2019 the denial of "use of PACER" and ECF are a "separate" constitutional violation under the equal protection clause and And "the Access to Justice Act of 1988";



Keith Dougherty (76873-067)  
FDC  
Po Box 562  
Philadelphia, PA 19105

Keith Dougherty has not received a copy of the Government's response "extended to 4/10/2020" as part of "the ongoing due process "violations";

**United States District Court  
Middle District of Pennsylvania (Harrisburg)  
CRIMINAL DOCKET FOR CASE #: 1:19-cr-00140-CFC-1**

Case title: USA v. Dougherty

Date Filed: 04/17/2019

Assigned to: Honorable Colm F.  
Connolly

**Defendant (1)**

**Keith Thomas Dougherty**

represented by **Keith Thomas Dougherty**  
76873-067  
FDC-Philadelphia  
Federal Detention Center  
PO Box 562  
Philadelphia, PA 19105  
Email: keithdoughertycfp@comcast.net  
PRO SE

**Heidi R. Freese**  
Federal Public Defender  
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Harrisburg, PA 17101-2540  
717-782-2237  
Email: heidi\_freese@fd.org  
*TERMINATED: 06/14/2019*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Thomas J. Young**  
Federal Defender of New Jersey  
800-840 Cooper St.  
Suite #350  
Camden, NJ 08102  
856-757-5341  
Email: thomas\_young@fd.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Pending Counts**

18:876 MAILING THREATENING  
COMMUNICATIONS

**Disposition**



(1)

18:876(c) MAILING THREATENING  
COMMUNICATIONS

(1s)

18:875 INTERSTATE  
COMMUNICATIONS WITH  
THREAT TO INJURE

(2)

18:875(c) INTERSTATE  
COMMUNICATIONS - THREATS  
(2s-4s)

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Jeffrey A Finucane**  
United States Attorney's Office  
217 West King Street, Ste. 400  
Martinsburg, WV 25401  
304-262-0590  
Email: jeffrey.finucane@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Assistant US Attorney*

Date Filed	#	Docket Text
07/13/2020		ORAL ORDER as to Keith Thomas Dougherty -: In light of the developments with COVID-19 in Delaware, the in person pretrial conference scheduled for Wednesday, 7/15/2020 1:00 PM in Courtroom 4B before Judge Connolly is CANCELLED. The Court will endeavor to arrange for a video conference. Ordered by Judge Colm F. Connolly on 7/13/2020. Signed by Honorable Colm F. Connolly on 7/13/2020. (cl) (Entered: 07/13/2020)

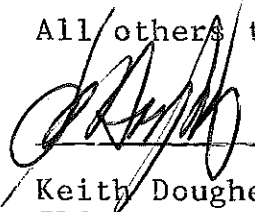
Certification of Service

I Keith Dougherty do hereby Certify a copy of the foregoing  
was mailed in the prison mailbox system as follows;

Kate Barkman  
601 Market Street RM 2609  
Philadelphia, PA 19106-1729

Judge Connelly  
844 N. King Street  
Wilmington, DE 19801-3519

All others to receive their copy through ECF;

 8/20/2020

Keith Dougherty (76873-067)  
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Philadelphia, PA 19105

Keth Dougherty (76873-067)  
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District Court Clerk  
601 Market St 14M 2603  
Phila, PA 19106-1729

U.S.M.S.  
X-RAY

